

1 Vanessa R. Waldref  
2 United States Attorney  
3 Eastern District of Washington  
4 Letitia A. Sikes  
5 Assistant United States Attorney  
6 402 E. Yakima Avenue, Suite 210  
7 Yakima, WA 98901  
8 Telephone: (509) 454-4425

FILED IN THE U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

AUG 13 2024

SEAN F. MCAVOY, CLERK  
DEPUTY  
YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WASHINGTON

9 UNITED STATES OF AMERICA,

Case No. 1:24-CR-2058-SAB

11 Plaintiff,

INDICTMENT

12 v.

13 ORLANDO MENDEZ,

18 U.S.C. § 2251(a), (e)  
Production and Attempted  
Production of Child Pornography  
(Counts 1 and 2)

15 Defendant.

16 18 U.S.C. § 2252A(a)(2)(A), (b)(1)  
17 Receipt of Child Pornography  
18 (Counts 3, 4, 5)

19 18 U.S.C. § 2252A(a)(1), (b)(1)  
20 Transportation of Child Pornography  
21 (Count 6)

22 18 U.S.C. § 2252A(a)(5)(B), (b)(2)  
23 Possession of Child Pornography  
24 (Count 7)

25 18 U.S.C. § 2253  
26 Forfeiture Allegations

27 The Grand Jury charges:  
28

## COUNT 1

Or on or about May 13, 2018, within the Eastern District of Washington, the Defendant, ORLANDO MENDEZ, did knowingly employ, use, persuade, induce, entice and coerce Minor 1, a child born in 2009, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A), for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted, using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; such visual depiction was produced and transmitted using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was actually transported and transmitted, using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and did attempt to do the same, in violation of 18 U.S.C. § 2251(a), (e).

## COUNT 2

Between or on or about June 29, 2020 and August 10, 2020, within the Eastern District of Washington, the Defendant, ORLANDO MENDEZ, did knowingly employ, use, persuade, induce, entice and coerce Minor 2, a child born in 2008, to engage in sexually explicit conduct, as defined in 18 U.S.C. § 2256(2)(A), for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted, using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce; such visual depiction was produced and transmitted using materials that had been mailed, shipped and transported in and affecting interstate and foreign commerce by any means, including by computer; and such visual depiction was actually transported and transmitted, using any means and facility of interstate and foreign commerce,



1 and in and affecting interstate and foreign commerce, and did attempt to do the  
2 same, in violation of 18 U.S.C. § 2251(a), (e).

3 COUNT 3

4 On or about June 2, 2023 in the Eastern District of Washington, the  
5 Defendant, ORLANDO MENDEZ, did knowingly receive child pornography, as  
6 defined in 18 U.S.C. § 2256(8)(A), the production of which involved the use of  
7 minors engaging in sexually explicit conduct, and which visual depictions were of  
8 such conduct, that had been mailed, and shipped and transported using any means  
9 and facility of interstate and foreign commerce and in and affecting interstate and  
10 foreign commerce by any means, including by computer, and that was produced  
11 using materials that had been mailed, and shipped and transported in and affecting  
12 interstate and foreign commerce by any means, including by computer, to wit:  
13 visual depictions of minors engaging in sexually explicit conduct, including, but  
14 not limited to, the lascivious exhibition of their genitals and pubic areas, in  
15 violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

17 COUNT 4

18 On or about October 8, 2018, in the Eastern District of Washington, the  
19 Defendant, ORLANDO MENDEZ, did knowingly receive child pornography, as  
20 defined in 18 U.S.C. § 2256(8)(A), the production of which involved the use of  
21 minors engaging in sexually explicit conduct, and which visual depictions were of  
22 such conduct, that had been mailed, and shipped and transported using any means  
23 and facility of interstate and foreign commerce and in and affecting interstate and  
24 foreign commerce by any means, including by computer, and that was produced  
25 using materials that had been mailed, and shipped and transported in and affecting  
26 interstate and foreign commerce by any means, including by computer, to wit:  
27 visual depictions of minors engaging in sexually explicit conduct, including, but  
28

1 not limited to, the lascivious exhibition of their genitals and pubic areas, in  
2 violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

3 COUNT 5

4 On or about November 3, 2022 in the Eastern District of Washington, the  
5 Defendant, ORLANDO MENDEZ, did knowingly receive child pornography, as  
6 defined in 18 U.S.C. § 2256(8)(A), the production of which involved the use of  
7 minors engaging in sexually explicit conduct, and which visual depictions were of  
8 such conduct, that had been mailed, and shipped and transported using any means  
9 and facility of interstate and foreign commerce and in and affecting interstate and  
10 foreign commerce by any means, including by computer, and that was produced  
11 using materials that had been mailed, and shipped and transported in and affecting  
12 interstate and foreign commerce by any means, including by computer, to wit:  
13 visual depictions of minors engaging in sexually explicit conduct, including, but  
14 not limited to, the lascivious exhibition of their genitals and pubic areas, in  
15 violation of 18 U.S.C. § 2252A(a)(2)(A), (b)(1).

17 COUNT 6

18 On or about May 13, 2018 and continuing through on or about August 22,  
19 2022, in the Eastern District of Washington, the Defendant, ORLANDO  
20 MENDEZ, did knowingly transport and ship, using any means and facility of  
21 interstate and foreign commerce, and in and affecting interstate and foreign  
22 commerce by any means, including by computer, any child pornography, as  
23 defined in 18 U.S.C. § 2256(8)(A), all in violation of 18 U.S.C. § 2252A(a)(1),  
24 (b)(1).

26 COUNT 7

27 On or about June 8, 2023, within the Eastern District of Washington, the  
28 Defendant, ORLANDO MENDEZ, did knowingly possess material that contained  
one or more images of child pornography, as defined in 18 U.S.C. § 2256(8)(A),



1 including images of prepubescent minors and minors who had not attained twelve  
2 years of age, the production of which involved the use of a minor engaging in  
3 sexually explicit conduct, and which visual depictions were of such conduct, that  
4 had been mailed, and shipped and transported using any means and facility of  
5 interstate and foreign commerce and in and affecting interstate and foreign  
6 commerce by any means, including by computer, and that was produced using  
7 materials that had been mailed, and shipped and transported in and affecting  
8 interstate and foreign commerce by any means, including by computer, in violation  
9 of 18 U.S.C. § 2252A(a)(5)(B), (b)(2).

#### 10 NOTICE OF FORFEITURE ALLEGATIONS

11 The allegations set forth in this Indictment are hereby realleged and  
12 incorporated by reference for the purpose of alleging forfeitures.

13 Pursuant to 18 U.S.C. § 2253, upon conviction of an offense(s) in violation  
14 of 18 U.S.C. § 2251; and/or 18 U.S.C. § 2252A, as set forth in this Indictment, the  
15 Defendant, ORLANDO MENDEZ, shall forfeit to the United States any visual  
16 depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260 of this  
17 chapter, or any book, magazine, periodical, film, videotape, or other matter which  
18 contains any such visual depiction, which was produced, transported, mailed,  
19 shipped or received in violation of this chapter; any property, real or personal,  
20 constituting or traceable to gross profits or other proceeds obtained from such  
21 offenses; and, any property, real or personal, used or intended to be used to commit  
22 or to promote the commission of such offenses, or any property traceable to such  
23 property, including, but not limited to, the following:

- 24 - MOTOROLA cellular phone
- 25 - SAMSUNG cellular phone

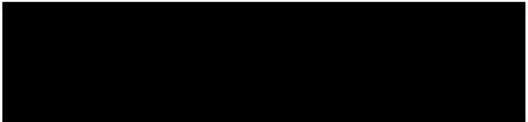
26 If any of the property described above, as a result of any act or omission of  
27 the Defendant:  
28

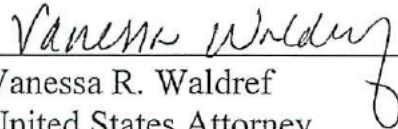
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,


the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 2253(b).

DATED this 13 day of August, 2024.

A TRUE BILL

  
Foreperson

  
Vanessa R. Waldref  
United States Attorney

  
Letitia A. Sikes  
Assistant United States Attorney